

# SENATE BILL REPORT

## ESB 5495

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As Passed Senate, March 4, 2013

**Title:** An act relating to the state building code council.

**Brief Description:** Expanding the membership of the state building code council.

**Sponsors:** Senators Holmquist Newbry, Fain, Hobbs, Dammeier and McAuliffe.

**Brief History:**

**Committee Activity:** Governmental Operations: 2/12/13, 2/18/13 [DP, DNP].  
Passed Senate: 3/04/13, 34-15.

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### SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

**Majority Report:** Do pass.

Signed by Senators Roach, Chair; Benton, Vice Chair; Braun and Rivers.

**Minority Report:** Do not pass.

Signed by Senator Conway.

**Staff:** Samuel Brown (786-7470)

**Background:** The State Building Code Council (Council) is responsible for the adoption and maintenance of the various building, residential, fire, and other model codes that comprise the State Building Code.

The Council is comprised of 15 members who are appointed by the Governor. At least six of the 15 Council members must reside east of the Cascade Mountains. The Council membership must consist of:

- two members who are elected county legislators or executives;
- two members who are elected city legislators or mayors;
- one member who is a local government building code enforcement official;
- one member who is a local government fire service official;
- one member who represents the commercial and industrial building construction industry;
- one member who represents the residential and multifamily building construction industry;
- one member who represents the architectural design profession;

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- one member who represents the structural engineering profession;
- one member who represents the mechanical engineering profession;
- one member who represents the construction building trades;
- one member who represents manufacturers, installers, or suppliers of building materials and components;
- one member who represents the community of persons with disabilities; and
- one member who represents the general public.

The Council also includes the following ex officio, nonvoting members:

- two members of the House of Representatives, one from each caucus, who are appointed by the Speaker of the House;
- two members of the Senate, one from each caucus, who are appointed by the President of the Senate; and
- one employee of the electrical division of the Department of Labor and Industries.

Council members serve three-year terms. Before making any appointment to the Council, the Governor must seek nominations from recognized organizations with an interest in the building construction trade or industry.

**Summary of Engrossed Bill:** The Council must include 17 members: the current membership, plus one member representing owners and managers of existing rental properties with one to four units, and one member representing owners and managers of existing rental properties with five or more units. At least seven of the 17 members of the Council must reside east of the Cascade Mountains.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: In 2015, the Council must update codes regarding existing structures. Landlords are going to be directly impacted by those changes, and we want to make sure they have a voice on the Council. No one on the Council speaks for or represents existing property owners. The Council's focus seems to disproportionately deal with new construction. There are over one million rental properties in the state that would be affected by changes in the codes. It is appropriate to have some expertise and eyes on the codes from rental property owners. The Council is becoming more challenging from a regulatory standpoint for the construction industry. There may be a need for additional people from the construction industry on the Council. We want to ensure that the Council is not going outside its legislative mandate.

OTHER: Addition of members to the Council shifts the majority away from public safety aspects. We want to make sure those concerns are not diminished. We would welcome the opportunity to expand Council membership from the public safety community.

**Persons Testifying:** PRO: Senator Holmquist Newbry, prime sponsor; Joe Puckett, WA Multifamily Housing Assn.; Kyle Woodring, Rental Housing Assn. of WA; Gary Smith, Independent Business Assn.

OTHER: Rob Huss, WA State Patrol; Dylan Doty, WA Fire Chiefs.